

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SALVATORE ROSS,)	
Petitioner)	
)	
vs.)	Civil Action No. 07-97
)	Judge Nora Barry Fischer/
THE ATTORNEY GENERAL OF THE)	Magistrate Judge Amy Reynolds Hay
STATE OF PENNSYLVANIA; THE)	
DISTRICT ATTORNEY OF THE)	
COUNTY OF FAYETTE; MICHAEL)	
KRYSEVIG,)	
Respondents)	


ORDER

AND NOW, this 23rd day of January, 2008, after the Petitioner, Salvatore Ross, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge, and after Petitioner filed objections to the Report and Recommendation, upon consideration of the objections filed by Petitioner, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the habeas petition filed pursuant to 28 U.S.C. § 2254 is dismissed;

IT IS FURTHER ORDERED that a certificate of appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.



NORA BARRY FISCHER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Salvatore Ross
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All Counsel of Record by electronic filing